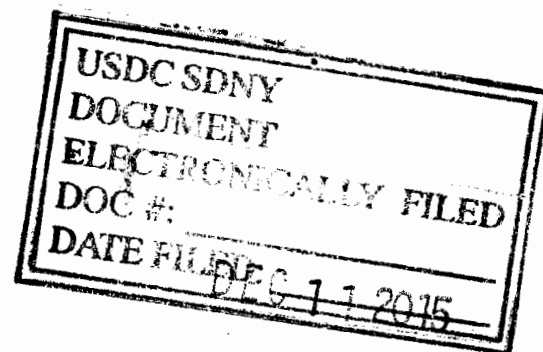


# FRANDZEL

December 10, 2015



VIA FACSIMILE - (212) 805-6737

Hon. George B. Daniels  
United States District Judge  
United States District Court -- Southern District of  
New York  
500 Pearl Street, Room 630  
New York, NY 10007

Re: Commodity Futures Trading Commission v. Stephen Walsh, etc., *et al.*  
U.S. District Court, Southern District of New York, Case No. 09-CV-01749-GBD  
Securities and Exchange Commission v. WG Trading Investors, L.P., etc., *et al.*  
U.S. District Court, Southern District of New York, Case No. 09-CV-01750-GBD

Dear Judge Daniels

We are lead counsel for Robb Evans & Associates LLC ("Receiver"), the Receiver pursuant to various Orders issued by Your Honor in connection with the above-referenced actions ("Actions").

We write to you at this time requesting approval of a negotiated resolution concerning various funds held by the Dechert firm ("Dechert") since the inception of the Actions. In particular, in February 2009, Dechert was retained by defendant Paul Greenwood and in accordance with the terms of his engagement letter with Dechert, Greenwood paid to Dechert an advance retainer to be credited against fees and expenses related to his criminal defense in the sum of \$903,509.25. Shortly after the appointment of the Receiver in these Actions, the Receiver made demand for the turnover of the funds from Dechert, and in April 2009, Dechert transferred to the Receiver the sum of \$787,766.00, retaining approximately \$117,000.00 in an escrow account. Dechert hoped to apply the funds in the escrow account against outstanding fees owed to Dechert by Greenwood (which currently total \$117,324.22). The Receiver notified Dechert that any actions taken by it to apply the remaining funds to the outstanding balance owed to Dechert would be in violation of this Court's Orders. Accordingly, the Dechert firm retained the funds in the escrow account.

Both the Receiver and the SEC have engaged in various settlement discussions with Dechert, pursuant to which the parties have agreed that the sum of \$87,990.46 will be immediately transferred to the Receiver, with the remaining sum of \$29,330.16 to be retained by Dechert and applied against the outstanding obligation owed to it by Greenwood. The Receiver

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believes that this is a fair and reasonable resolution of the dispute between the parties, and will result in a substantial savings in legal fees and expenses for the Receiver that would be incurred in the event the Receiver was required to litigate this issue. Notably, both the SEC, which has been involved in the negotiations with Dechert, and the CFTC support the Receiver's proposed resolution of this dispute. In addition, if at all possible, the parties request that the Dechert claim matter be resolved by year end.

Accordingly, the Receiver respectfully requests that the Court "So Order" the approval of the resolution of the Dechert claim in accordance with the terms set forth herein.

Very truly yours,

FRANDZEL ROBINS BLOOM & CSATO, L.C.




CRAIG A. WELIN  
[cwelin@frandzel.com](mailto:cwelin@frandzel.com)

CAW:bw  
cc: All parties

IT IS SO ORDERED:

DEC 11 2015



JUDGE GEORGE B. DANIELS  
UNITED STATES DISTRICT JUDGE